

No. PD-0166-20

DANNY WAYNE ALCOSER

v.

THE STATE OF TEXAS

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IN THE COURT OF
COURT OF CRIMINAL APPEALS
3/20/2020
DEANA WILLIAMSON, CLERK
CRIMINAL APPEALS
OF TEXAS

MOTION FOR EXTENSION OF TIME TO FILE
APPELLANT'S REPLY TO STATE'S PDR

Appellant Danny Wayne Alcoser files this Motion for an Extension of Time to file the Appellant's Reply to the State's PDR and shows the Court:

I.

The State filed her PDR on February 25, 2020. Appellant's reply to the PDR was due 15 days later on March 11, 2020. Counsel miscalculated the deadline for filing the reply and tendered the reply on March 16, 2020. Appellant requests a 5-day extension for the filing of the reply to the State's PDR, extending the deadline to the date the Court received Appellant's reply.

II.

Counsel's miscalculation of the deadline was not intentional, or the result of conscious indifference on his part, but was due to a mistake. Counsel asks the Court to grant this extension in the interest of justice.

III.

Counsel for Appellant attempted to confer with counsel for the State, Mr. Harmon, by email at 9:38 this morning. But as of the time of the filing of this motion, Mr. Harmon has not responded.

WHEREFORE, PREMISES CONSIDERED, Appellant requests that the Court grant a 5-day extension for the filing of the appellant's reply to the State's PDR and such other and further relief to which he may show himself justly entitled.

Respectfully submitted,

/s/ Alan Bennett
E. Alan Bennett
SBOT #02140700
Attorney for Appellant

Sheehy, Lovelace & Mayfield, P.C.
510 N. Valley Mills Dr., Ste. 500
Waco, TX 76710
Telephone: (254) 772-8022
Fax: (254) 772-9297
Email: abennett@slm.law

Certificate of Service

The undersigned hereby certifies that a true and correct copy of this document has been served by e-service on March 19, 2020 to counsel for the State, Sterling Harmon.

/s/ Alan Bennett
E. Alan Bennett

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Barbara Eide on behalf of E. Bennett
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beide@slm.law
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Associated Case Party: McLennan County District Attorney's Office

Name	BarNumber	Email	TimestampSubmitted	Status
Sterling Harmon		sterling.harmon@co.mclennan.tx.us	3/19/2020 4:16:32 PM	SENT

Associated Case Party: Danny Alcoser

Name	BarNumber	Email	TimestampSubmitted	Status
Alan Bennett		abennett@slm.law	3/19/2020 4:16:32 PM	SENT